

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS**

In re: NEXIUM (ESOMEPRAZOLE)
ANTITRUST LITIGATION

MDL No. 2409

Master File No. 1:12-md-2409-WGY

This Document Relates To:
Opt-Out Retailer Plaintiffs

**RANBAXY DEFENDANTS' MOTION TO STRIKE AND REPLACE
TWO EXHIBITS TO RETAILER PLAINTIFFS' CONSOLIDATED OPPOSITION TO
MOTIONS TO STRIKE**

Defendants Ranbaxy Pharmaceuticals, Inc., Ranbaxy Inc., and Ranbaxy Laboratories Limited (collectively, "Ranbaxy") hereby bring this Motion to Strike and Replace Two Exhibits to Consolidated Retailer Plaintiffs' Opposition to Motions to Strike (ECF No. 489). In support of its Motion, Ranbaxy states as follows:

Exhibits F and L to Consolidated Retailer Plaintiffs' Opposition, filed at ECF Nos. 486-6 and 489-12, contain information designated by Ranbaxy as highly confidential pursuant to the Protective Order in this case. (ECF No. 120.) Among the information included in Plaintiffs' Exhibits is information that has already been impounded pursuant to a prior Order of this Court. Ranbaxy was unaware that the Retailer Plaintiffs would be filing the information in the public record and did not learn that they had done so until after the Retailer Plaintiffs had already filed their brief and supporting exhibits. Thus, Ranbaxy did not have the opportunity to seek to impound the information prior to Plaintiffs' public filing. Ranbaxy has advised Retailer Plaintiffs of its intent to promptly file a motion to impound the confidential information contained in these exhibits.

Until Ranbaxy's motion to impound can be heard, however, Ranbaxy requests that the Court strike from the public docket Exhibits F and L to Retailer Plaintiffs' Opposition (ECF Nos. 489-6 and 489-12), and replace those exhibits with the redacted versions attached hereto as Attachments A and B. As the Court already has access to the unredacted versions of these Exhibits, Retailers will not be prejudiced by the substitution of these redacted exhibits. Retailer Plaintiffs do not oppose this Motion.

For the foregoing reasons, Ranbaxy requests that the Court grant this motion and replace the current Exhibits F and L (ECF Nos. 489-6 and 489-12) with the enclosed replacement copies.

Dated: November 7, 2013

Respectfully submitted,

/s/ J. Douglas Baldridge

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*Counsel for Defendants Ranbaxy Pharmaceuticals,
Inc., Ranbaxy Inc., and Ranbaxy Laboratories, Ltd.*

CERTIFICATE OF SERVICE

I, Sarah Choi, hereby certify that on this 7th day of November 2013, this document was electronically filed via the Court's CM/ECF system and served on all counsel of record who will receive a notification of such filing by email.

/s/ Sarah Choi

Sarah Choi